

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 TIFFANI RINZEL,

12 Plaintiff,

13 v.

14 MARTIN O'MALLEY, COMMISSIONER
15 OF SOCIAL SECURITY,¹

16 Defendant.

No. 1:22-CV-00143-DJC-GSA

ORDER

(ECF Nos. 20, 21, 25)

18 Plaintiff Tiffani Rinzel initiated this action seeking judicial review of a final
19 decision of the Commissioner of Social Security denying her application for
20 Supplemental Security Income (SSI) pursuant to Title XVI of the Social Security Act.
21 (ECF No. 1). The matter was referred to a United States Magistrate Judge pursuant to
22 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

23 On September 12, 2024, the Magistrate Judge filed findings and
24 recommendations recommending that Plaintiff's motion for summary judgment be
25 granted, that Defendant's cross-motion be denied, and that the matter be remanded
26 to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. §

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28 ¹ The Court has substituted Martin O'Malley, who has been appointed Commissioner of Social Security,
as the defendant in this case. See Fed. R. Civ. P. 25(d)

1 405(g). (ECF No. 25). The findings and recommendations advised the parties that
2 objections were due within fourteen days. On September 13, 2024, Defendant filed
3 objections to the findings and recommendations, which the Court has considered.

4 The Court reviews de novo those portions of the proposed findings of fact to
5 which an objection has been made. 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp v.*
6 *Commodore Business Machines*, 656 F.2d 1309, 1313 (9th Cir. 1981); *see also*
7 *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). As to any portion of the
8 proposed findings of fact to which no objection has been made, the court assumes its
9 correctness and decides the matter on the applicable law. See *Orand v. United States*,
10 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are
11 reviewed de novo. See *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th
12 Cir. 1983)

13 After reviewing the file, including Defendant's objections, the Court finds the
14 findings and recommendations to be supported by the record and by proper analysis.

15 Accordingly, IT IS HEREBY ORDERED that:

- 16 1. The findings and recommendations filed September 12, 2024
17 (ECF No. 25) are ADOPTED IN FULL;
- 18 2. Plaintiff's motion for summary judgment (ECF No. 20) is
19 GRANTED;
- 20 3. Defendant's cross-motion for summary judgment (ECF No. 21) is
21 DENIED;
- 22 4. The matter is remanded to the Commissioner of Social Security
23 pursuant to sentence four of 42 U.S.C. § 405(g) for further
24 proceedings consistent with this order and with the findings and
25 recommendations; and

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5. The Clerk of Court is directed to enter judgment in favor of Plaintiff and against Defendant Commissioner of Social Security.

IT IS SO ORDERED.

Dated: February 21, 2025

Daniel J. Calabretta
Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE